IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 24092 of 2007

DATED: 15.11.2007

Between:

Sk Babu Saheb & others petitioners

And

Food Corporation Of India
Rep by its Executive Director,
South zone, Zonal office,
Haddow Road,
Chennai and ors Respondents

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ORAL ORDER:

This writ petition is filed questioning the proceedings dated 12.10.2007 transferring the petitioners from Tarnaka depot, Hyderabad to Karimnagar as illegal and arbitrary.

The petitioners herein are employed in the respondent Food Corporation of India as Assistant Grade III and posted at Tarnaka depot, Hyderabad. While so, the respondent corporation issued proceedings dated 12.10.2007 promoting certain Assistant Grade III Depot to Assistant Grade II Depot in part I and transferring the petitioners from Tarnaka depot, Hyderabad to Karimnagar depot in part II of the said proceedings. The petitioners allege that the normal practice in the respondent corporation is to transfer the employees on promotion and contrary to the said practice, the promoted employees were retained and the petitioners who were not considered for promotion, were transferred vide impugned proceedings, without assigning any reasons.

Learned counsel for petitioner mainly contended that no reasons were mentioned in the impugned transfer order and transfer in the middle of the academic year, would cause much inconvenience and dislocate the education of the children of the petitioners. It is also stated that the petitioners have submitted representations to second respondent to retain them at Tarnaka depot, Hyderabad till the end of academic year and the same is pending.

On the other hand, learned Standing Counsel for respondent corporation on instructions submitted that the petitioners herein were found excess at Tarnaka depot and since there is a shortage of staff at Karimnagar, to meet the administrative exigencies, petitioners were transferred to Karimnagar depot and the same cannot be termed as an illegal transfer.

Heard the learned counsel for petitioner and learned Standing

Counsel for respondent corporation. Both the counsel agreed for disposal of the writ petition at the admission stage with a direction to the second respondent to expeditiously dispose of the representations submitted by the petitioners.

Transfer is an incidence of service, and this Court normally does not interfere in matter of transfer, however, since the representations of the petitioners are pending consideration with the second respondent and in view of the agreed stand taken by both the counsel, I deem it appropriate to dispose of the writ petition with the following direction;

The second respondent- General Manager, Regional Office, Hyderabad is directed to consider and dispose of the representations said to have been submitted by the petitioners expeditiously.

If the petitioners were not relieved as on date, they may be retained at Tarnaka depot, Hyderabad, till disposal of the representations of the petitioners by the second respondent.

With the above observation, the writ petition is disposed of.

No costs.

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N.V.RAMANA,J

DATE: 15-11-2007

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